

# Corrections and Law Enforcement

The Governor's Budget includes funding to support the various programs within the Youth and Adult Correctional Agency, Department of Justice, Office of Criminal Justice Planning, Commission on Peace Officer Standards and Training, Office of the Inspector General, and the California Highway Patrol. Funding for these programs will grow to approximately \$8.2 billion in total funds, and reflects a 0.7 percent increase over the revised 2001-02 Budget. The level of funding proposed for each of these agencies is shown in Figure CLE-1. Highlights of the more notable funding changes included in the Budget for these programs are further described below.

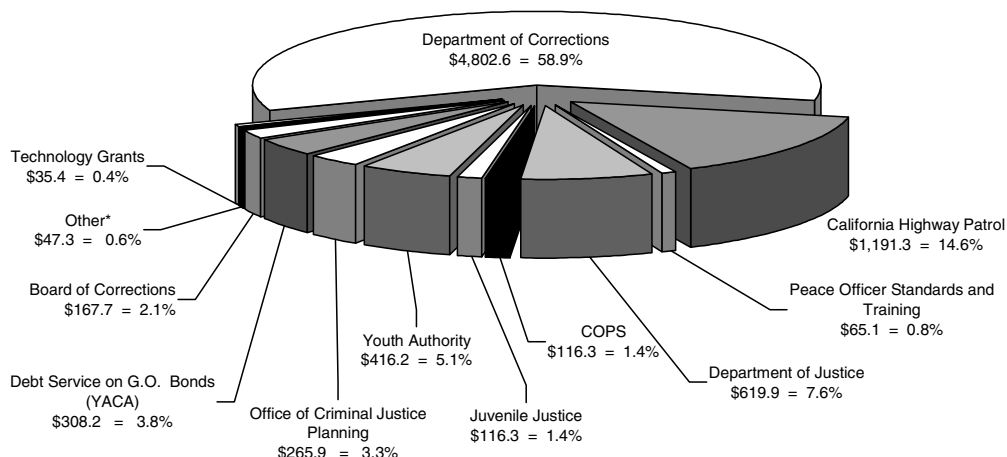
## Youth and Adult Correctional Agency

The Secretary for the Youth and Adult Correctional Agency is responsible for providing day-to-day policy direction and broad administrative guidance to the departments that deliver youth and adult detention services, including the

Department of Corrections, Board of Prison Terms, Department of the Youth Authority, Youthful Offender Parole Board, and the Board of Corrections. The Secretary also provides oversight for the Narcotic Addict Evaluation Authority and the Commission on Correctional Peace Officer Standards and Training. Total funding for these

Figure CLE-1

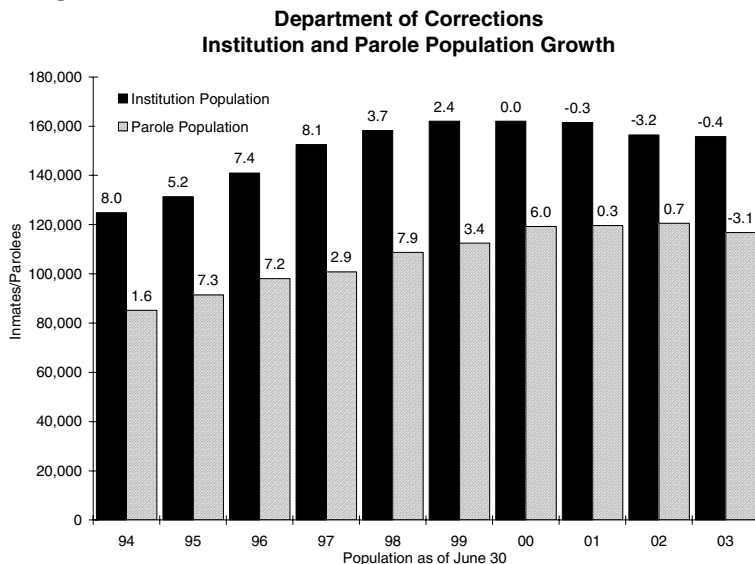
### Public Safety Proposed Expenditures for 2002-03 All Funds (Dollars in Millions)



\* Includes the Youth and Adult Correctional Agency, Office of the Inspector General, Youthful Offender Parole Board, Board of Prison Terms, and the Commission on Correctional Peace Officer Standards and Training.

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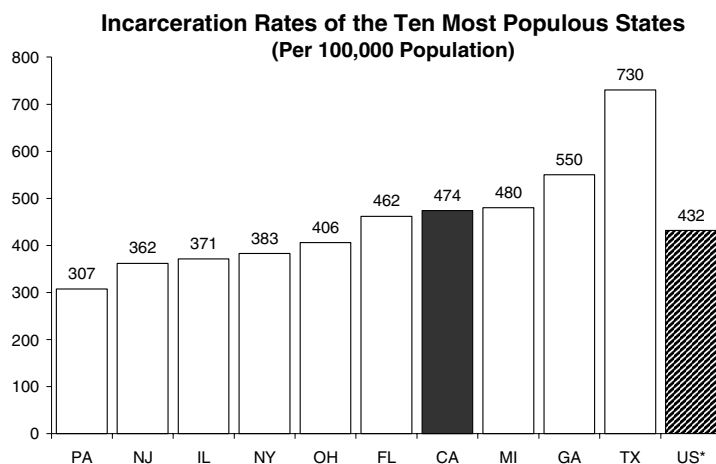


**Figure CLE-2**

programs will be approximately \$5.4 billion in 2002-03. This amount reflects a 0.4 percent increase over the revised 2001-02 Budget.

## Department of Corrections

The Department of Corrections (CDC) is responsible for the incarceration of convicted felons and the supervision of these felons after their release on parole. The CDC is responsible for providing safe and secure detention facilities and providing necessary support services to inmates, including food, clothing, academic and vocational training, and health care.

**Figure CLE-3**

\*Nationwide (States)

Source: Prisoners in 2000; Bureau of Justice Statistics

The CDC's inmate population is projected to decrease from 156,409 on June 30, 2002, to 155,721 by June 30, 2003, a decrease of 688 inmates, or 0.4 percent. The parole population is projected to decrease from 120,523 on June 30, 2002, to 116,811 by June 30, 2003, a decrease of 3,712 parolees, or 3.1 percent (see Figure CLE-2). The Governor's Budget proposes \$4.8 billion and 44,926 personnel years for state operations and local assistance programs to accommodate these populations. This results in a savings of \$28.3 million and 80.6 personnel years from the revised 2001-02 Budget. In 2002-03, incarceration and parole services will be provided through 33 institutions, 11 reception centers, 38 camps, and 11 community correctional facilities.

California has an incarceration rate of 474 inmates per 100,000 population, compared to a nationwide rate of



432 inmates per 100,000, ranking it thirteenth among the 50 states, and fourth among the ten most populous states (see Figure CLE-3). Adequate funding for state prison operations ensures the safety of the public and the officers and staff who supervise and work with confined criminals.

**Preventing Parolee Crime Program Funding Shift**—The Budget includes a funding shift related to the Preventing Parolee Crime Program. General Fund savings will be realized by using \$10.6 million in federal Workforce Investment Act funds for the portion of the Preventing Parolee Crime Program that relates to employment training, including the Jobs Plus Program, the Offender Employment continuum, a contract with the Employment Development Department, and the Computerized Literacy Learning Centers.

**Female Offender Treatment and Employment Program (FOTEP) Funding Shift**—The Budget contains a funding shift related to FOTEP. General Fund savings will be realized by using \$2 million in federal Workforce Investment Act funds for the portion of FOTEP that relates to employment training.

**Replacement and Repair of Electromechanical Door Operating Systems**—The Budget proposes to reappropriate \$11.7 million related to the Electromechanical Doors project to fund those portions of the project that will take place in 2002-03, due to changes in the implementation schedule.

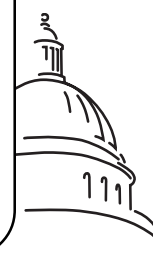
**Additional Security at Patton State Hospital**—The Budget proposes \$427,000 and seven personnel years to increase perimeter security at Patton State Hospital. This increase in security is for two years, until completion of a new secure perimeter fence.

**Medical Evaluations Related to Respiratory Protection Program**—The Budget includes \$620,000 for medical evaluations of those employees who may be required to wear respirators in the course of employment.

**Workers' Compensation Continuing Funding and Fee Increases**—The Budget continues \$21.3 million in one-time funding from the 2001-02 Budget for increased workers' compensation expenditures, and includes \$1.1 million in new funding for increased service fees.

**Legal Affairs Division Restructuring**—The Budget contains \$1.8 million in redirected funding to establish the Major Litigation Unit and the Liability Response Unit within the Legal Affairs Division. These units are designed to assist the Department in addressing major lawsuits as well as identifying potential solutions to problems before they become lawsuits.

**Reduction in Legal Settlement Authority**—The Budget includes a reduction in the Department's legal settlement authority of \$3.2 million, which the CDC indicates will not be needed in 2002-03.



**Elimination of Five Expiring Community Correctional Facility (CCF) Contracts**—The Budget includes a reduction of \$5.1 million and an increase of 200 personnel years related to the elimination of five expiring private CCF contracts. Due to the decline of inmate population and the effects of Proposition 36, these facilities are no longer required. Under the terms of Proposition 36, it is anticipated that parolees who would have returned to incarceration on specified substance abuse parole violations will receive treatment within the community.

**Cancellation of Additional 425 Community Correctional Re-entry Center (CCRC) Beds**—Due to the declining inmate population and the effects of Proposition 36, the Budget proposes cancellation of 425 additional CCRC beds for a savings of \$3.4 million and a net increase of 43 personnel years. It is anticipated that under the terms of Proposition 36, there will be fewer lower classification level inmates (i.e., inmates with short terms of incarceration and those with little history of institutional violence or escapes) entering the prison system, due to the elimination of prosecutions by district attorneys for substance abuse possession. This, in turn, will reduce the number of lower level inmates for programs such as the CCRCs.

## **Incarceration of Undocumented Persons**

The CDC expects to expend approximately \$572 million in 2001-02 for incarceration and parole supervision of undocumented persons. Undocumented persons are estimated to comprise 12.4 percent of inmates in State prison and 16.8 percent of parolees in the State in 2001-02. The CDC's costs in 2002-03 are estimated to decrease to \$567.2 million, a decrease of 0.8 percent. In addition, the Department of the Youth Authority expects to expend approximately \$18.2 million in both 2001-02 and 2002-03, resulting in a total State cost of \$590.2 million in 2001-02 and \$585.4 million in 2002-03, an overall decrease of 0.8 percent between the two years.

In the past two years, the annual share of federal State Criminal Alien Assistance Program (SCAAP) funding that the State receives has declined significantly, primarily due to the fact that 25 percent more local law enforcement entities have applied for and received funding for the misdemeanants held in their facilities. For 2002-03, it is estimated that California will receive approximately \$208.3 million in SCAAP funding. This amount includes an additional \$50 million beyond the amount estimated to be received under the current appropriations at the federal level. California will work with other states facing similar unreimbursed costs for undocumented individuals to secure an increase in the amount available at the federal level to provide a greater



level of compensation for these costs. Even with this increase, California will still be receiving reimbursements for significantly less than 50 percent of the cost of incarceration, parole supervision, and related debt service associated with the undocumented population, leaving \$377.1 million in costs incurred by the Youth and Adult Correctional Agency departments uncompensated.

## Department of the Youth Authority

The Department of the Youth Authority protects the public from criminal activity of youthful offenders by housing wards committed to the Department by juvenile courts. In order to help these youthful offenders become productive California citizens, the Youth Authority provides education, training, and treatment services to the wards.

The Department projects an institution population of 6,360 youthful offenders by June 30, 2002, which is a decrease of 380 from the level anticipated in the 2001 Budget Act. The 2002-03 year-end institution population is expected to decrease by 260 wards, resulting in a June 30, 2003, population of 6,100.

The Youth Authority operates 11 institutions, including 2 reception center/clinics, 6 conservation camps (2 of which are institution-based camps), and 1 institution-to-parole transition program. The total Youth Authority design

capacity is 6,692 beds, which includes the institutions, camps, and contract beds.

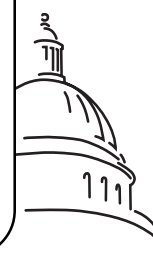
The Youth Authority supervises parolees through 16 offices located throughout the State. The parole population is projected to be 4,230 by June 30, 2002, and decrease by 75 cases, to 4,155 by June 30, 2003.

The Budget includes a reduction of \$3.1 million for the Youth Authority, primarily for operating equipment and expenses, which is spread across the Department's institution, parole, education, and administration programs. This reduction will not affect the Department's ability to provide training and treatment services for youthful offenders committed to its custody.

**Program Compliance Unit**—The Budget includes \$725,000 and five personnel years to enhance management oversight and to monitor staff compliance of policies and procedures within the Youth Authority.

## Board of Corrections

The Board of Corrections (BOC) is responsible for establishing standards for the construction and operation of local jails and juvenile detention facilities, compliance inspections, and employment and training for local corrections and probation personnel. In addition, the BOC administers various correctional facility construction and juvenile justice local assistance grant programs.



The Budget includes a reduction of \$176,000 and two personnel years for BOC. However, this reduction will not affect the ability of the Board to carry out its core responsibilities which include establishing standards for correctional officer training and correctional facility operations and implementing various local assistance programs.

**Crime Prevention Act Administration—**

The Budget includes \$275,000 for the BOC to administer an additional \$116.3 million proposed for local juvenile crime prevention programs for at-risk youth and juvenile offenders, pursuant to the Crime Prevention Act of 2000. The Board is responsible for approving local juvenile justice action plans required by this Act.

**Community Law Enforcement And Recovery (CLEAR) Program—**

The Budget includes \$3 million for the CLEAR program. This program provides funding to various agencies in Los Angeles for a multi-agency gang intervention program. The agencies work together to provide a flexible and coordinated response to crime perpetrated by criminal street gangs.

**Department of Justice**

The Attorney General serves as the State's primary legal representative and chief law enforcement officer, and is responsible for ensuring that California's laws are uniformly enforced.

The Budget includes a reduction of \$17.6 million General Fund for the Department of Justice, which is spread across various divisions and programs. However, this reduction is not expected to affect the ability of the Department to fulfill its law enforcement mission.

Despite the reduction, the Department's proposed budget reflects an increase of \$160.7 million over expenditures for fiscal year 1998-99, including a \$67.2 million increase in General Fund resources.

For 2002-03, the Governor's Budget proposes \$619.9 million and 5,636 personnel years, including \$160.3 million for Law Enforcement programs, \$256.1 million for Legal Service programs, \$147 million for the Criminal Justice Information System program, \$14.6 million for the Gambling Control Division, and \$10.9 million for the Firearms Division. The Budget proposes the following major augmentations for 2002-03:

**Armed Prohibited Persons Database—**\$1 million General Fund to implement Chapter 944, Statutes of 2001, which creates a database containing information on persons identified as prohibited from possessing a firearm.

**Hate Crime Analysis Tracking and Evaluation (HATE) Database—**\$596,000 General Fund and four personnel years to expand the HATE crime database to provide timely criminal intelligence information via a state-level automated crime database.





**Anti-Reproductive Rights Crime Reporting**—\$433,000 General Fund and three personnel years to collect and analyze information related to anti-reproductive rights crimes, as well as develop plans to apprehend and prosecute offenders of such crimes pursuant to Chapter 944, Statutes of 2001.

**Recreational Entities Fingerprint Submissions**—\$441,000 General Fund and four personnel years to implement Chapter 777, Statutes of 2001, which requires cities, counties, and special districts to obtain state-level criminal offender record information prior to the employment of persons who will supervise or discipline minors. By implementing this legislation, the Administration seeks to ensure that persons convicted of certain crimes, such as sexual offenses, child abuse, or domestic violence are not allowed to supervise or discipline minors, thus helping to ensure the safety of our children.

**Predatory Lending Fraud**—\$606,000 in reimbursement authority and five personnel years to prevent predatory lending fraud and ensure California consumers are protected against consumer fraud and deceptive and unfair business practices.

## Office of Criminal Justice Planning

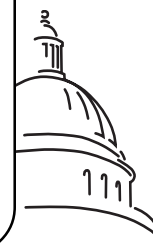
The mission of the Office of Criminal Justice Planning (OCJP) is to reduce crime and delinquency and lessen its adverse effects upon the victims of crime in California. The OCJP provides

financial and technical assistance to State and local criminal justice and victim service agencies and community-based organizations. The Budget proposes \$265.9 million and 155 personnel years to continue efforts to enhance victim services programs, improve the criminal justice system, and reduce crime in California.

Since 1998-99, total General Fund resources allocated for OCJP's programs have increased by \$27.9 million, or 63 percent. This cumulative increase does not take into account the significant one-time expenditures provided in the form of local assistance grants for the construction and renovation of forensics laboratories, DNA profiling activities, and drug interdiction efforts.

**Los Angeles Regional Crime Laboratory**—The November 2001 *Proposed Reduction in 2001-02 Spending* proposed to shift \$82 million from a \$96 million grant authorized in the 2000 Budget Act from General Fund to lease-revenue bonds for the construction of a regional crime laboratory in the Los Angeles area. Since construction of the laboratory is not expected to begin until 2003-04, the Administration will propose legislation authorizing the sale of lease revenue bonds and committing the State resources necessary to ensure the completion of this important facility.

**War on Methamphetamine**—The Budget continues \$15 million General Fund for disbursement to High Intensity Drug Trafficking Areas (HIDTAs) to



combat methamphetamine manufacturing and distribution, with a focus on the Central Valley. HIDTAs are multi-jurisdictional law enforcement groups operating with the goal of eliminating the production and distribution of illegal drugs in California. This local assistance augmentation will continue to provide resources for the purchase of specialized equipment and the support of investigators, agents, and prosecutors specializing in methamphetamine offenses.

**High Technology Theft Apprehension and Prosecution Program and Identity Theft Funding**—The Budget continues \$913,000 State operations and \$13.5 million local assistance (\$14.2 million General Fund) to combat high technology crimes as well as identity theft. This funding will continue the ability of the task forces to employ local law enforcement officers and agents, provide high technology investigative and forensic training, purchase forensic equipment, and coordinate public awareness efforts with the high technology industry.

### California Highway Patrol

The California Highway Patrol (CHP) patrols over 105,000 miles of state highways and county roads, ensures the safe operation of commercial trucks through inspection at weigh stations, and protects State facilities and the people who work and do business in them. For 2002-03, the Budget proposes \$1.2 billion and 10,435 personnel years for support of the CHP. Of

these personnel, 7,230 are uniformed officers. Since 1998-99, the number of CHP uniformed personnel has increased by 7.2 percent, or 484 officers, reflecting the Administration's strong commitment to public safety.

The Budget includes \$39.5 million in 2001-02 and \$89.6 million in 2002-03 from federal funds for terrorism-related safety and security, including:

- ❖ \$34.9 million in overtime for 2001-02 and \$32.5 million in 2002-03, for twelve-hour shifts during periods when placed on high alert for response to possible terrorist activities.
- ❖ \$4.6 million in 2001-02 and \$26.4 million and 24 officers in 2002-03 for increased air patrol of state infrastructure and event surveillance, including five additional aircraft in 2002-03.
- ❖ \$14.4 million and 150 officers and staff at key truck inspection stations for 24-hour, seven-day-a-week operation, in order to increase surveillance for trucks carrying explosives and other potential weapons.
- ❖ \$3.8 million for 47 officers to protect State facilities, including the State Capitol, health labs, and the TransBay Terminal, and another \$4.9 million for 44 officers to protect bridges, nuclear power plants, and other landmarks and public facilities.





- ❖ \$1.9 million for 24 officers to staff emergency information and command operations and participate in multi-agency task forces.
- ❖ \$3.3 million and 27 supervisors and other staff to support the additional patrol officers proposed for the CHP.
- ❖ \$2.5 million (one-time) for specialized protective equipment.

In addition to these terrorism-related augmentations, the Budget proposes:

- ❖ \$11.9 million for additional workers' compensation costs.
- ❖ \$87.5 million to fund retirement costs previously funded through Public Employee Retirement System (PERS) investment earnings, and \$18.1 million for retirement cost increases.
- ❖ \$2.4 million to improve the CHP's telecommunications infrastructure.

### **Cost Pressures on the Motor Vehicle Account (MVA)**

The MVA is the major funding source for the California Highway Patrol and the Department of Motor Vehicles. (For a discussion of revenue sources for the Account, see the Revenue Estimates section.) In recent years, the State's retirement system was able to fund the cost of the California Highway Patrol's retirement plan entirely from its investment earnings. With the stock market

decline, \$107 million in annual retirement plan costs have been shifted to the MVA, reducing resources from the account to support other costs. In addition, other employee costs are scheduled to increase over the next few years.

To help balance the account, the CHP, Department of Motor Vehicles, and Air Resources Board have reduced their MVA programs in 2002-03 for a total savings of \$32.1 million. The CHP's share of this total is \$8.5 million, as follows:

- ❖ \$3 million (one-time) for equipment reductions.
- ❖ \$2 million (ongoing) for operating expenses.
- ❖ \$1.5 million (one-time) for deferral of special repairs projects.
- ❖ \$1.5 million for gasoline purchases, because pump prices have fallen.
- ❖ \$0.5 million for vehicle purchases, in recognition of reduced purchase costs.

In addition, the Budget proposes revising several penalties and fees that contribute revenue to the MVA, raising additional revenue of \$67 million in 2002-03 and \$96 million in 2003-04. These changes are discussed under the Department of Motor Vehicles in the Business, Transportation, and Housing section.

